

4-989. Order appointing kinship guardian by consent (paternity not admitted).

[Section 40-10B-8 NMSA 1978]

STATE OF NEW MEXICO
COUNTY OF _____
_____ JUDICIAL DISTRICT

_____, [Petitioner] [Petitioners]

v.

No. _____

_____, Respondent

IN THE MATTER OF THE GUARDIANSHIP

OF _____

**ORDER APPOINTING KINSHIP GUARDIAN
BY CONSENT¹
(*paternity not admitted*)**

The court has reviewed the sworn petition for appointment of _____ [and
_____] as kinship [guardian] [guardians] of above minor child and the consent of
the respondents.

The court having considered the petition, **FINDS** that the court has jurisdiction and that:

1. The [petitioner is a grandparent] [petitioners are grandparents] [_____
(*state the relationship*)]² of the above named child.
2. The child's mother has consented to the appointment of [a guardian] [guardians] for her child
and the consent is filed with the court.

3. _____ (*name of respondent*) has not contested the appointment of [a guardian] [guardians] for this child and the consent is filed with the court.

4. The [petitioner] [petitioners] shall be appointed as the kinship guardians of the child.

(Check and complete applicable alternative.)

5. The [petitioner has] [petitioners have] not requested child support.

The mother has agreed to child support as follows:

_____.

The petitioners and _____ (*name of respondent*) have agreed to the following visitation: _____

_____.

IT IS SO ORDERED.

Date

District court judge

USE NOTES

1. This form order may be used if both parents have signed a Parental Consent to Appointment of Guardian and Waiver of Service of Process.
2. See Section 40-10B-5 NMSA 1978 for persons who may file as a petitioner pursuant to the Kinship Guardianship Act. See also Civil Form 4-981 NMRA for relationship

of the petitioners.

[Provisionally approved, effective August 15, 2003 until August 31, 2004; approved, effective January 20, 2005.]